

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

TOEHL HARDING,

Plaintiff.

- against -

DAVID NASEMAN,

Defendant.

Hon. Robert P. Patterson

07-CV-08767(RPP)

RULE 26(f) REPORT

X

Plaintiff TOEHL HARDING ("Plaintiff" or "Harding"), by and through her attorneys, Judd Burstein, P.C., and Defendant DAVID NASEMAN ("Naseman"), by his attorneys, Cohen Lans LLP, as and for their Report pursuant to Fed. R. Civ. P. 26(f), provide as follows:

I. Changes in the Timing, Form or Requirement for Disclosures Under Rule 26(a)(1):

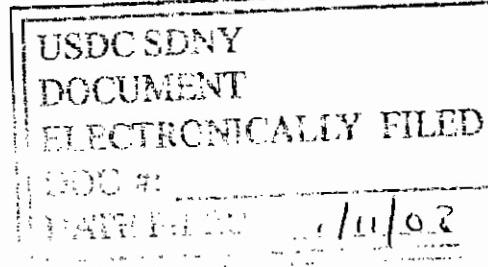
The parties agree to exchange initial disclosures and initial discovery requests by January 31, 2008.

2. The Subjects on Which Discovery May Be Needed, When Discovery Should Be Completed, and Whether Discovery Should Be Conducted in Phases:

The parties propose a discovery cut off of July 30, 2008. The parties agree that discovery should proceed on all allegations and defenses raised in the pleadings.

3. Any Issues About Disclosure or Discovery of Electronically Stored Information, Including the Form or Forms in Which It Should be Produced:

The parties are unaware of any unusual issues concerning electronically stored information, which can be produced on CD-ROMs as long as the format is accessible by the party receiving the



disclosure. The parties reserve the right to employ computer forensics and to seek other relief under this section as becomes reasonably necessary as the case progresses.

4. Any Issues About Claims of Privilege or of Protection as Trial Preparation Materials, Including – If the Parties Agree on a Procedure to Assert These Claims After Production – Whether to Ask the Court to Include Their Agreement in an Order:

The parties do not believe that any changes need to be made to the requirements and limitations concerning these issues as provided by the F.R.C.P., the Local Rules, and applicable case law, but reserve their rights to seek same if the need should arise.

5. Changes to the Limitations on Discovery Imposed By the Federal Rules of Civil Procedure:

The parties do not believe that any changes need to be made to the limitations imposed by the F. R. C. P. The parties reserve their rights to seek changes should the need arise.

6. Any Other Orders That Should Be Entered By the Court Under Rule 26c) or Under Rule 16(b) and (c):

The parties agree that joinder of additional parties must be accomplished by no later than March 19, 2008.

The parties agree that depositions of non-experts, if any, shall be completed by April 30, 2008. With respect to experts, the parties agree that expert reports, if any, shall be exchanged by June 2, 2008. Rebuttal expert reports responding to issues raised in the initial reports, if any, shall be exchanged by June 16, 2008. Each such expert shall be deposed by July 16, 2008.

The parties' position is that dispositive motions, if any, are to be filed no later than August 3, 2008.

If necessary, the parties shall file any joint pre-trial orders by August 29, 2008. Additionally, the parties shall file motions *in limine* within 15 days before the commencement of trial if such a date has been fixed, or by September 29, 2008, if no trial date has been fixed.

Other than as set forth herein, the parties do not believe that any changes need to be made to the requirements and limitations provided for by the F.R.C.P. and the Local Rules, but reserve their rights to seek same if the need should arise.

AGREED:

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David Naseman

SO ORDERED:

Dated: New York, New York
January 8, 2008

ROBERT P. PATTERSON
United States District Judge